

Mr. Cochran (enc.)
 1 - Mr. Mintz (enc.)
 1 - Mr. Kelleher (enc.)
 1 - Mr. Lawn (enc.)
 2 - Mr. Daly (enc.)
 1 - Mr. Coulson (enc.)

February 8, 1977

FEDERAL GOVERNMENT

Dr. James B. Rhoads
 Archivist of the United States
 National Archives and
 Records Service
 Washington, D. C. 20408

Dear Dr. Rhoads:

REC-39

EX-113

62-117278-150

This is in reply to the letter of Mr. James E. O'Neill, Acting Archivist of the United States, to me on January 25, 1977. In his letter Mr. O'Neill advised that he would be happy to clarify any possible misunderstanding on the part of the staff of the House Select Committee on Assassinations regarding the purpose of the Bureau's request to examine test bullets from the rifle of Lee Harvey Oswald. In a telephone conversation between Mr. O'Neill and my representative on January 27, 1977, Mr. O'Neill requested that Congressman Henry B. Gonzalez have a representative present during any meeting with FBI personnel to discuss our access to the test bullets. I do not feel that it is necessary for a representative of the FBI to participate in resolving the issues raised by Mr. O'Neill and these staff members. I would like to remind you that the FBI continues to have the responsibility for the investigation into the assassination of President John F. Kennedy. Further delay in furnishing us with test samples that were originally developed in our laboratory only serves to postpone the resolution of this question. When you have resolved the issues between Mr. O'Neill and Congressman Gonzalez, please advise me so that necessary arrangements may be made for our use of these test bullets for comparison purposes. I have previously advised you that the FBI has cooperated fully with Mr. Richard A. Sprague, Staff Director of the Committee, and we have furnished the Committee with the results of our investigation into the assassination of President Kennedy. I would like to reassure you that the results of examinations of evidence conducted in this matter will continue to be made available to the Committee.

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 Asst. Dir.: _____
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Dr. James B. Rhoads

I look forward to an early resolution of this matter in order for the FBI to discharge its responsibilities in our investigation into the assassination of President John F. Kennedy.

Sincerely yours,

G. W. Kelley

Clarence M. Kelley
Director

1 - Assistant Attorney General - Enclosure
Office of Legislative Affairs

Note: Pursuant to a letter from James E. O'Neill, Acting Archivist of the United States, to the Director dated January 25, 1977, SA Danny O. Coulson, Office of Congressional Affairs, Legal Counsel Division, telephonically contacted Mr. O'Neill to arrange for a meeting between O'Neill and Deputy Assistant Director Thomas F. Kelleher, Jr., of the Scientific and Technical Services Division, regarding the Bureau's request for access to the test bullets fired from the rifle of Lee Harvey Oswald. O'Neill advised that it would be necessary to notify Congressman Henry B. Gonzalez to designate a representative to attend this meeting and requested a letter from the Director advising of our desire to discuss this matter with him. It is the opinion of the Legal Counsel Division that the Bureau should not be a party to negotiations between O'Neill and representatives of Mr. Gonzalez dealing with issues that were raised by those parties. It is felt that the issues raised previously by O'Neill and staff members of the House Select Committee on Assassinations should be resolved by those individuals and that the Bureau should continue its request for access to the questioned test bullets.

APPROVED: _____

Director _____	Adm. Serv. _____	Legal Coun. <u>m/jer</u>
Assoc. Dir. _____	Ext. Affairs _____	Plan. & Insp. _____
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